

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. No.: 3802-01
Bill No.: HB 1643 with SA 1 and SA 2
Subject: Marriage and Divorce; County Officials; Public Assistance
Type: Original
Date: April 28, 2010

Bill Summary: This proposal authorizes the recorder of deeds in Jackson County to collect a \$1 donation in addition to the fees charged for marriage and birth records to assist homeless families in the county.

FISCAL SUMMARY

ESTIMATED NET EFFECT ON GENERAL REVENUE FUND			
FUND AFFECTED	FY 2011	FY 2012	FY 2013
Total Estimated Net Effect on General Revenue Fund	\$0	\$0	\$0

ESTIMATED NET EFFECT ON OTHER STATE FUNDS			
FUND AFFECTED	FY 2011	FY 2012	FY 2013
Total Estimated Net Effect on <u>Other</u> State Funds	\$0	\$0	\$0

Numbers within parentheses: () indicate costs or losses.
This fiscal note contains 5 pages.

ESTIMATED NET EFFECT ON FEDERAL FUNDS			
FUND AFFECTED	FY 2011	FY 2012	FY 2013
Total Estimated Net Effect on <u>All</u> Federal Funds	\$0	\$0	\$0

ESTIMATED NET EFFECT ON FULL TIME EQUIVALENT (FTE)			
FUND AFFECTED	FY 2011	FY 2012	FY 2013
Total Estimated Net Effect on FTE	0	0	0

☐ Estimated Total Net Effect on All funds expected to exceed \$100,000 savings or (cost).

☐ Estimated Net Effect on General Revenue Fund expected to exceed \$100,000 (cost).

ESTIMATED NET EFFECT ON LOCAL FUNDS			
FUND AFFECTED	FY 2011	FY 2012	FY 2013
Local Government	\$0 or Unknown	\$0 or Unknown	\$0 or Unknown

FISCAL ANALYSIS

ASSUMPTION

Officials from the **Department of Health and Senior Services** and **Department of Social Services** each assume there will be no fiscal impact to their respective agencies.

Officials from **Jackson County Recorder of Deeds** state software modification/expenditures would be required for the inclusion of an application check-off box for donations when issuing marriage licenses, creation of a financial tracking module in order to accept/process financial donations, and the creation of a modified printed receipt acknowledging when such donations are processed. Officials estimate a fiscal impact of \$5000 - \$10,000. This estimate does not include administrative employee training to explain/accept donations nor does it include the Finance Department's expense for processing the donations.

Oversight assumes this proposal is permissive in nature and authorizes the recorder of deeds in Jackson County to collect a \$1 donation over and above any required fees charged for recording or providing a certified copy of a marriage license or birth certificate. Therefore, Oversight will show fiscal impact to local government to be zero.

Senate Amendment 1, Section 429.110

Officials from the **State Tax Commission** and **Department of Revenue** assume there would be no fiscal impact to their respective agencies.

Oversight assumes there would be no fiscal impact to state and local governments.

Senate Amendment 2, Section 59.003

Officials from the **Department of Revenue** assume there would be no fiscal impact to their agency.

In response to identical legislation filed this year (HB 1959, 4078-01), the following responded:

Officials from **St. Charles Recorder of Deeds' Office** stated this bill would benefit many counties who have been losing general fund copy revenue to the Secretary of State's office.

ASSUMPTION (continued)

County Recorders have had the Secretary of State microfilm and store their records because they cannot perform this function for themselves or pay a private vendor to perform it for them. The Secretary of State has been selling copies of the County Recorder's documents, at cost, to the Title Companies and other interested businesses. This causes those counties to suffer additional revenue losses as a result. This new statute would require the public to obtain their copies from the actual custodian of those records, not from an entity who is merely storing the records for the custodian.

Officials from **Greene County Recorder of Deeds' Office** stated this bill will generate revenue for the county and will not allow others to sell records maintained by the local county recorder's office.

Oversight assumes this proposal would have positive fiscal benefits for local governments; therefore, Oversight will show a fiscal impact to local governments to be zero or a positive unknown.

Oversight assumes there would be no state costs.

<u>FISCAL IMPACT - State Government</u>	FY 2011 (10 Mo.)	FY 2012	FY 2013
	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>

<u>FISCAL IMPACT - Local Government</u>	FY 2011 (10 Mo.)	FY 2012	FY 2013
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LOCAL GOVERNMENT FUNDS

Income - Counties

Record copies (Section 59.003)	<u>\$0 or Unknown</u>	<u>\$0 or Unknown</u>	<u>\$0 or Unknown</u>
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ESTIMATED NET EFFECT ON LOCAL GOVERNMENTS FUNDS	<u>\$0 or Unknown</u>	<u>\$0 or Unknown</u>	<u>\$0 or Unknown</u>
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FISCAL IMPACT - Small Business

No direct fiscal impact to small businesses would be expected as a result of this proposal.

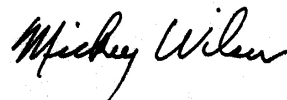
FISCAL DESCRIPTION

Section 59.003 - This section requires requests for records filed by the recorder of deeds dated after December 31, 1969 be made to the office of the recorder of deeds in which the record was originally recorded.

This legislation is not federally mandated, would not duplicate any other program and would not require additional capital improvements or rental space.

SOURCES OF INFORMATION

Department of Health and Senior Services
Department of Social Services
Jackson County Recorder of Deeds
State Tax Commission
Department of Revenue



Mickey Wilson, CPA
Director
April 28, 2010